

**INTRAAGENCY AGREEMENT NO: \_\_\_\_\_**

**Between the  
FISH AND WILDLIFE SERVICE  
MOUNTAIN PRAIRIE REGION  
of the  
UNITED STATES DEPARTMENT OF INTERIOR**

**and the**

**BUREAU OF INDIAN AFFAIRS  
ABERDEEN AREA  
of the  
UNITED STATES DEPARTMENT OF INTERIOR**

This Intraagency Agreement is made and entered into by and between the U.S. Fish and Wildlife Service, Mountain Prairie Region, hereinafter referred to as the FWS, and the Bureau of Indian Affairs, Aberdeen Area, hereinafter referred to as the BIA, under the provisions of the Economy Act of June 30, 1932, as amended (47 Stat. 417; 31 U.S.C. 1535), and the Interagency Agreement for Fire Management effective February, 1997 (FWS Agreement #1448-93510-97-H-504, BIA Agreement #POOC14IA9871).

**I. PURPOSE:**

Provide for the partial funding of the North Dakota Interagency Dispatch Center (NDC) located at the J. Clark Salyer National Wildlife Refuge in Upham, North Dakota. The NDC has been established to coordinate the movement of resources between fire management agencies within the North Dakota Zone, and provide support to other zones within the Northern Rockies area and other geographic areas through the National Interagency Coordination Center.

**II. THE BIA WILL:**

- A. Initially contribute \$8,000 in FY-2001 (increasing to \$18,000 annually for FY-2002 through 2004) to finance a fair share of staffing and operations costs for the NDC, located at J. Clark Salyer NWR as determined by the FY-2001 workload analysis process and approved by the North Dakota Fire Council and the NDC Board of Directors.
- B. Annually contribute an amount as agreed to in Paragraph IV based upon a fair share cost as determined by the established workload distribution analysis process.
- C. Supply information to the NDC regarding weekly fire situation, resource availability, and resource needs.

**III. THE FWS WILL:**

Provide dispatch and coordination services for BIA units within the confines of the North Dakota Zone within the Northern Rockies Geographic Area as outlined in the North Dakota and Northern Rockies Mobilization Guides and the North Dakota Interagency Dispatch Center Annual Operating Plan.

**IV. IT IS MUTUALLY AGREED AND UNDERSTOOD BETWEEN THE PARTIES THAT:**

- A. Annually, the Fire Directors from each agency will agree to the fair share contribution to be made by the BIA to finance staffing and operations for the NDC. Contributions will be determined by the approved workload distribution analysis process.
- B. If the amount is not otherwise revised, it will remain at \$18,000 annually unless this

agreement is terminated.

- C. **MODIFICATION.** Modifications within the scope of the instruments shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by both parties, prior to any changes being performed. Parties are not obligated to fund any changes not properly approved in advance.
- D. **TERMINATION.** Either party, in writing, may terminate this instrument in whole, or in part, at any time before the date of expiration, provided notice is given six months prior to the end of the fiscal year. Neither party shall incur any new obligations for the terminated portion of the instrument after the effective date and shall cancel as many obligations as possible. Full credit shall be allowed for each party's expenses and all noncancellable obligations properly incurred up to the effective date of termination.
- E. **PRINCIPAL CONTACTS.** The principal contacts for this instrument are:

Regional Fire Management Officer  
Bureau of Indian Affairs  
Aberdeen Area Office  
115 4<sup>th</sup> Avenue SE  
Aberdeen, SD 57401

Regional Fire Management Coordinator  
U.S. Fish & Wildlife Service  
Mountain Prairie Region  
P.O. Box 25486  
Denver Federal Center, Denver, Colorado  
80225

- F. **BILLING:** The maximum total cost liability for this instrument for FY-2001 is \$8,000. Transfer of funds to the Fish & Wildlife Service will be through an On-Line Payment and Collection System (OPAC) billing. The OPAC document, which the FWS will prepare, shall contain the following information as the first line of the description or reference section:

**FWS Information:**

FWS Account Code: 62620-1971-0167  
FWS Agency Location Code: 14-16-0006  
FWS Fiscal Contact: Jean Dennis  
(303) 236-8145 ext. 603

**BIA Information:**

To Be Determined

A detailed list showing the workload distribution analysis process will be provided to the BIA on a yearly basis, and will be included in the NDC Mobilization Guide, Appendix XIII. Any excess funds not used for the agreed costs shall be refunded to the cooperator upon expiration of this agreement.

- G. **AVAILABILITY OF FUNDS:** Funding in the amount of \$8,000 is currently obligated for performance of this instrument through September 30, 2001. Either party's obligation for performance of this instrument beyond this date is contingent upon the availability of appropriated funds from which payment and service can be made. No legal liability on the part of the FWS from any payment may arise for performance under this instrument until funds are made available to both parties and they receive notice of availability. Contingent upon both parties' approval of continuance of work, a written modification to this instrument shall be issued to include funding for the subsequent performance period as described in the approved operating or financial plan, or budget.

- H. **OBLIGATIONS:** Nothing herein shall be considered as obligating either agency to expend or as involving the United States in any contract or obligations for future payment of money in excess of funding approved and made available for payment under this instrument and modifications thereto.
- I. **COMPLETION DATE:** This instrument is executed on the last date shown below and expires on September 30, 2003, at which time it will be subject to review, renewal, or expiration.

In WITNESS WHEREOF, the parties hereto have executed this agreement as of the last date written below.

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Cora Jones  
Regional Director  
Great Plains Region, BIA

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Date:

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Ken McDermond  
Acting Regional Director  
Mountain Prairie Region, USFWS

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Date: